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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 09/719,277 | 04/13/2001 | Andrea D. Branch | RII-003CPUS | 7039 |
| 959 | 7590 | 03/19/2004 | EXAMINER | |
| LAHIVE & COCKFIELD, LLP. 28 STATE STREET BOSTON, MA 02109 | | | WORTMAN, DONNA C | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 1648 | |

DATE MAILED: 03/19/2004

Please find below and/or attached an Office communication concerning this application or proceeding.



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| EXAMINER |
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| ART UNIT | PAPER |
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03172004

DATE MAILED:

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Commissioner for Patents

Please see attached.


Donna C. Wortman, Ph.D.
Primary Examiner
Art Unit: 1648

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In the response of 05 January 2004, claims 1, 14, 24-26, 28-31, 36 and 37 were canceled, claims 38-51 were amended, and new claims 52-58 were added in the response submitted 05 January 2004. Claims 38-58 are pending.

The reply filed on 05 January 2004 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s):

Applicant has continued to assert that additional claims that do not read on the elected invention (original Group VIII, insofar as drawn to a method of detecting an HCV +1 polypeptide) should be rejoined with previously non-elected claims and examined because there is an allegedly allowable linking claim, i.e., newly added claim 52. Since new claims were added, and previously pending claims were amended to depend in the alternative from various new claims, and since claim 52 has not been indicated to be allowable, it is not presently clear how the pending claims read on the original inventive group or groups and it is not clear which claims are properly under examination.

Applicant is therefore requested to clearly identify which claims read on the elected and examined invention, original Group VIII, and which claims read on various non-elected inventions before examination can proceed. See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment.

EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Donna C. Wortman, Ph.D. whose telephone number is

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571-272-0913. Until 31 March 2004, the examiner can normally be reached on Monday-Thursday, 7:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Housel can be reached on 571-272-0902. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Donna C. Wortman, Ph.D.
Primary Examiner
Art Unit 1648

dcw